

ESTTA Tracking number: **ESTTA762559**

Filing date: **08/04/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213081
Party	Defendant Stephanie Day Lake
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Submission	Reply in Support of Motion
Filer's Name	Kyle T. Peterson
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Signature	/Kyle T. Peterson/
Date	08/04/2016
Attachments	Lake Reply in Support of MSJ.pdf(1880240 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of trademark application Serial No. 85/525339  
Filed January 25, 2012  
For the mark BONNIE CASHIN  
Published in the Official Gazette on June 25, 2012

	X	
	:	
THE TRUSTEES OF THE BONNIE CASHIN	:	
FOUNDATION, LUCIA KELLAR AND DAVID	:	
BAUM, a New York Trust,	:	
	:	
Opposer,	:	Opposition No. 91213081
	:	(parent)
v.	:	
	:	
STEPHANIE DAY LAKE, an individual,	:	
	:	
Applicant.	:	

	X	
	:	
COACH, INC.	:	
	:	
Opposer,	:	Opposition No. 91213082
	:	
v.	:	
	:	
STEPHANIE DAY LAKE, an individual,	:	
	:	
Applicant.	:	

**APPLICANT'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

## TABLE OF CONTENTS

I.	SUMMARY JUDGEMENT STANDARD .....	4
II.	OPPOSERS HAVE NO SALES PRIOR TO APPLICANT'S FILING DATE ..	5
III.	OPPOSERS' ALLEGED PRIOR SALES .....	6
IV.	OPPOSERS' EVIDENCE IS NOT CREDIBLE AND NOT PROBATIVE .....	7
V.	OPPOSERS DO NOT OWN COMMON LAW RIGHTS TO THE BONNIE CASHIN MARK .....	8
VI.	CONCLUSION .....	9

## **TABLE OF AUTHORITIES**

### ***Cases***

<i>Cerveceria Centroamericana v. Cerveceria India</i> , 13 U.S.P.Q2d 1037, 1312 (Fed. Cir. 1989).....	4
<i>Harod v. Sage Products, Inc.</i> , 62 U.S.P.Q.2d 1022, 1028 (S.D. Ga 2002) .....	6
<i>Keebler Co. v. Rovira Biscuit Corp.</i> 624 F.2d 366, 376 (1 <sup>st</sup> Cir. 1980).....	8
<i>Lujan v. National Wildlife Federation</i> , 497 U.S. 871 (1990).....	4
<i>Major League Baseball Props. v. Salvino, Inc.</i> , 542 F.3d 290, 310 (2d Cir. 2008).....	4, 7

### ***Treatises***

<i>McCarthy on Trademarks &amp; Unfair Competition</i> §16:9 n.5 .....	6
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Applicant, Stephanie Day Lake, ("Lake" or "Applicant"), by and through her undersigned attorneys, respectfully submits this reply in support of her motion summary judgment. In their Opposition, Opposers fail to provide evidence of any sales of relevant products for at least three years prior to Applicant's filing date. Instead, Opposers seek to avoid Summary Judgment by relying on allegations of *undocumented* sales during an *indeterminate* period. This Board must grant summary judgment because Opposers failed to: (1) identify a single sale of the relevant products purportedly using its alleged mark; (2) offer any credible evidence that they have established any sufficient brand reputation necessary to support their claim of nationwide common law trademark rights and (3) offer any documentary evidence of sales of the relevant goods. Opposers failure to support any of its allegations with any credible, admissible evidence confirms Applicant's entitlement to summary judgment.

#### **I. SUMMARY JUDGEMENT STANDARD**

In an opposition proceeding, once a party establishes a *prima facie* case of non-use, the opposing party then bears the burden of producing evidence to show prior use of the mark to avoid summary judgment. *Cerveceria Centroamericana v. Cerveceria India*, 13 U.S.P.Q2d 1037, 1312 (Fed. Cir. 1989). Summary judgment "shall be entered" against the nonmoving party unless affidavits or other evidence "set forth *specific* facts showing that there is a genuine issue for trial." *Lujan v. National Wildlife Federation*, 497 U.S. 871 (1990). A party opposing summary judgment does not show the existence of a genuine issue of fact to be tried merely by making assertions that are conclusory or based on speculation. *Major League Baseball Props. v. Salvino, Inc.*, 542 F.3d 290, 310 (2d Cir. 2008).

## **II. OPPOSERS HAVE NO SALES PRIOR TO APPLICANT'S FILING DATE**

Opposers concede that their claim to the BONNIE CASHIN mark is based solely on common law rights that Bonnie Cashin developed during her lifetime, which were then inherited by Opposer, The Bonnie Cashin Foundation. There are several flaws to Opposers' argument. First, Ms. Cashin last used her name in any commercial capacity in 1985, sixteen years before her death. *Peterson Declaration* ¶2. If Opposers are relying solely on "common law rights" as they claim in their Opposition, then they are required to establish sufficient ongoing sales to support their claims to such common law rights. There is nothing in the record that establishes that Opposers have any type of trade reputation sufficient to support a claim of priority due to common law rights. *Peterson Declaration* ¶3. Even the Federal Tax Return filed by Opposer, The Bonnie Cashin Foundation, for the 2011 tax period shows they had no revenue from sales whatsoever during the calendar year prior to Applicant's filing date. *Peterson Declaration* ¶4. In addition, page 6 of the return shows that the Trustees of The Bonnie Cashin Foundation, David W. Baum and Lucia Kellar, each worked an average of zero hours per week devoted to the position of Trustee. *Id.* Indeed, Opposers face a difficult dilemma in this cancellation proceeding by having to reconcile their own self-serving statements with their representations to the United States Government's Internal Revenue Service.

Even if Opposers could present credible evidence showing sales of BONNIE CASHIN products, Opposers failed to submit any evidence of sales of branded products related to the goods and services in Applicant's trademark application. *Peterson Declaration* ¶5. Applicant filed her trademark application in January of 2012. To show continuous use to support common law rights, one would expect to see sales data, tax statements, quarterly reports, years of

promotional material, price sheets, profit statements, business records, and other documentation upon which Opposers could direct this Board as evidence of sustained, non-trivial trademark use. Instead, Opposers offer this Board nothing in the way of documentary evidence that shows even a single sale of a *listed good* bearing Applicant's mark prior to Applicant's filing date. *Id.* In the absence of any documents supporting a claim of prior continuous use, this Board must conclude that no such evidence exists, and find that Opposers either failed to use, or abandoned, the mark.

### III. OPPOSERS' ALLEGED PRIOR SALES

Opposers' Opposition brief claims that "The Foundation's website had a 'shop' function that allowed visitors to purchase apparel and handbags by clicking on the 'shop' tab on the website." Opposers have provided no evidence to support this statement. *Peterson Declaration* ¶6. The Foundation has never sold apparel or handbags through its website. *Id.* In 2006, when a visitor clicked on the 'shop' tab, it opened to a link named 'vintage.' *Peterson Declaration* ¶7. This included three external links to non-affiliated resellers of vintage clothes that occasionally sold Bonnie Cashin designs from the 1960's and 1970's. *Id.* As a fundraising initiative in 2006, the Applicant proposed the Foundation produce a line of note cards that included reprints of Bonnie Cashin's childhood sketches *Peterson Declaration* ¶8. The Bonnie Cashin Foundation also contemplated selling a tote bag designed by Neal Decker for The Bonnie Cashin Foundation *Peterson Declaration* ¶9. No other goods were proposed, produced, or sold since 2006 – six years before the filing date of Applicant's trademark application. *Peterson Declaration* ¶10-11.

This is precisely the type of *de minimus* activity that has been held not to satisfy trademark use. See *McCarthy on Trademarks & Unfair Competition* §16:9 n.5, citing *Harod v. Sage Products, Inc.*, 62 U.S.P.Q.2d 1022, 1028 (S.D. Ga 2002) (low level sales amounted to "transitory, spasmodic, and inconsiderable use and does not establish trademark rights"). In

addition, the note cards do not fall within the description of any of the goods listed in Applicant's trademark application (making such activity irrelevant to this motion).

#### **IV. OPPOSERS' EVIDENCE IS NOT CREDIBLE AND NOT PROBATIVE**

Opposers' submit various documents accompanying its Opposition, the vast majority of which should be disregarded as either unreliable and not probative because they are several decades old. Bonnie Cashin was a designer for hire whose name appeared on clothing and accessories designed for nearly forty companies. Bonnie Cashin's name has not been used commercially since 1985, more than 25 years prior to Applicant's filing date. *Peterson Declaration* ¶2.

Opposers were requested in discovery to produce all documents evidencing use of their mark in interstate commerce. Opposers failed to produce a single document in response. *Peterson Declaration* ¶3 & 5. Now, in its Opposition, Opposers claim for the first time that they had sufficient sales of apparel, handbags and sketches on their website to support nationwide common law trademark rights. This is contrary to the information in their own tax filings – which show zero sales. *Peterson Declaration* ¶4. Importantly, Opposers failed to support their self-serving statements with any evidence of a single sale, either in state or out-of-state, for at least 6 years prior to Applicant's filing date. *Peterson Declaration* ¶11. Opposers cannot create a genuine issue of fact, and therefore avoid summary judgment, with self-serving conclusory statements, with no supporting evidence to substantiate their claims. *Major League Baseball*, 542 F.3d at 310.



## **V. OPPOSERS DO NOT OWN COMMON LAW RIGHTS TO THE BONNIE CASHIN MARK**

Absent a federal registration, a party seeking to establish common-law trademark protection bears the burden of proving that it is entitled to exclusive use of the mark. *Keebler Co. v. Rovira Biscuit Corp.* 624 F.2d 366, 376 (1<sup>st</sup> Cir. 1980). It must prove that “the primary significance of the term in the minds of the consuming public is not the product, but the producer.” *Keebler Co.*, 624 F.2d at 376. A common law trademark owner must establish that the mark it seeks to protect has become, “so associated with its goods that the use of the (mark) by another company constitutes a representation that its goods come from the same source.” *Id.*

Opposers have failed to present any evidence showing they own any type of common-law brand reputation. Instead, they rely primarily on Bonnie Cashin’s career, which ended in 1985. Opposers fail to address the fact that all media articles about Bonnie Cashin reference how obscure and unknown she has become. For example, a *New York Times* article from May 10, 2016 entitled “The Forgotten Designer Behind Some of Fashion’s Biggest Trends” describes Cashin as an unknown. *Peterson Declaration* ¶12. The *New York Times* interviewed Reed Krakoff, Creative Director until 2013 for Opposer, Coach, Inc., on the subject, who concurred “there is not a whole lot of recognition.” *Id.* An article in *I-D Magazine* from April 26, 2016 entitled, “Bonnie Cashin, the most copied fashion designer you’ve never heard of” describes how Cashin’s name has, “faded throughout the years.” *Peterson Declaration* ¶13. A *Minneapolis Star Tribune* article from June 2, 2016 characterizes Cashin as a designer “little known outside of fashion circles.” *Peterson Declaration* ¶14. A CBS news broadcast on September 24, 2015 about the Applicant’s work went further, including an on-air segment in which every reporter

agreed they had never heard the name Bonnie Cashin, followed by a statement to viewers “If you do not know the name ‘Bonnie Cashin’ That is okay, not many people do.” *Peterson*

*Declaration ¶15.* Given the overwhelming media reports about the obscure nature of the Bonnie Cashin name, coupled with Opposers’ lack of sales activity to support a common law trademark application, it is evident that Opposers do not own common law trademark rights to the BONNIE CASHIN mark.

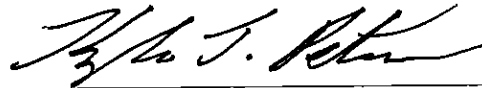
## **VI. CONCLUSION**

Opposers’ Opposition confirms that this issue is not only ripe for summary judgment, it is the type of issue summary judgment was created for. Accordingly, Opposers were required to prove: (i) continuous (i.e. 2009-2012) (ii) *bona fide* and substantial use of the registered mark (iii) in interstate commerce (iv) on goods related to those listed in Applicant’s trademark application. Opposers have not, and cannot, offer evidence on **any** of these elements, making a trial on this issue a complete waste of the parties and the Board’s time and resources.

Opposers have offered this Board nothing in the way of evidence upon which it can find that Opposers have continuously used the registered mark in interstate commerce since well before 2009 for the goods listed in Applicant's trademark application. As a result, the Board must find that Opposers failed to use the mark, or abandoned the mark, and grant Applicant's motion for summary judgment that Applicant has nationwide priority to the BONNIE CASHIN trademark.

Respectfully submitted,

**Dated:** August 4, 2016



by: Kyle T. Peterson  
Attorney for Applicant, Stephanie Day Lake

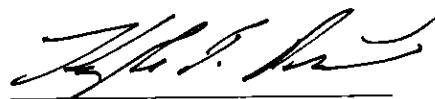
PATTERSON THUENTE  
PEDERSEN, PA  
4800 IDS Center  
80 S. 8th Street  
Minneapolis, MN 55402  
Telephone: (612) 252-1554

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing APPLICANT'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT was served on Counsel for Opposers as identified by the records of the U.S. Patent and Trademark Office, this 4<sup>th</sup> day of August, 2016, by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Deborah J. Swedlow  
Honigman Miller Schwartz and Cohn LLP  
315 E. Eisenhower Parkway, Suite 100  
Ann Arbor, MI 48108-3330  
(734) 418-4268  
[bswedlow@honigman.com](mailto:bswedlow@honigman.com)  
[tmdocketing@honigman.com](mailto:tmdocketing@honigman.com)  
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Donald Prutzman  
Tannenmaum Helpert Syracuse & Hirschtritt  
900 Third Avenue  
New York, NY 10022  
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\_\_\_\_\_  
Kyle T. Peterson

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of trademark application Serial No. 85/525339  
Filed January 25, 2012  
For the mark BONNIE CASHIN  
Published in the Official Gazette on June 25, 2012

-----X	:	
THE TRUSTEES OF THE BONNIE CASHIN	:	
FOUNDATION, LUCIA KELLAR AND DAVID	:	
BAUM, a New York Trust,	:	
	:	
Opposer,	:	Opposition No. 91213081
	:	(parent)
v.	:	
	:	
STEPHANIE DAY LAKE, an individual,	:	
	:	
Applicant.	:	
-----X	:	

-----X	:	
COACH, INC.	:	
	:	
Opposer,	:	Opposition No. 91213082
	:	
v.	:	
	:	
STEPHANIE DAY LAKE, an individual,	:	
	:	
Applicant.	:	
-----X	:	

**DECLARATION OF KYLE T. PETERSON IN SUPPORT OF APPLICANT'S REPLY IN  
SUPPORT OF MOTION FOR SUMMARY JUDGEMENT**

1. I am an attorney at the law firm of Patterson Thuermer Pedersen, P.A., counsel of record for Applicant, Stephanie Day Lake. I make this Declaration of my own personal

knowledge, except where otherwise indicated and, if called as a witness, I could and would be competent to testify to the matters set forth herein.

2. Exhibit A attached hereto is a true and correct copy of correspondence between Applicant and counsel for Opposer, The Bonnie Cashin Foundation dated July 2, 2001 stating that Bonnie Cashin's name was "last used for retail circa 1985."

3. I have reviewed Opposers' discovery production, and Opposers produced no discovery documents that support a claim of common law trademark rights.

4 Exhibit B attached hereto is a true and correct copy of the 2011 Tax Return for Opposer, The Bonnie Cashin Foundation, which shows zero sales during the year prior to the filing date of Applicant's trademark application. It also shows that the Trustee's of Opposer The Bonnie Cashin Foundation, David Baum and Lucia Kellar worked an average of zero hours per week in their position.

5. I have reviewed Opposers' discovery production, and Opposers have failed to submit any evidence of sales of branded products related to the goods and services in Applicant's trademark application.

6. I have reviewed Opposers' discovery production, and in response to the discovery requests, Opposers produced no documents evidencing sales of apparel or handbags through its website to anyone.

7. Exhibit C attached hereto is a true and correct copy of Opposer, The Bonnie Cashin Foundation's website from 2006 showing links to non-affiliated resellers of vintage clothing that occasionally sold Bonnie Cashin designs from the 1960's and 1970's.

8. Exhibit D attached hereto is a true and correct copy of e-mail from Applicant to Davide Wray, attorney for Opposer The Bonnie Cashin Foundation related to sales of notecards through The Bonnie Cashin Foundation's website.

9. Exhibit E attached hereto is a true and correct copy of a news article from August 9, 2006 describing the proposed sales of a tote bag designed by Neal Decker for The Bonnie Cashin Foundation.

10. Exhibit F is a true and correct copy of an excerpt of the Deposition of Applicant, Stephanie Day Lake describing the proposed sale of tote bags designed by Neal Decker.

11. I have reviewed Opposers' discovery production, and in response to the discovery requests, Opposers produced no documents evidencing a use of the BONNIE CASHIN mark in commerce in connection with any of the products listed in Applicant's trademark application since at least 2006.

12. Exhibit G is a true and correct copy of a May 2016 articles from *The New York Times* that characterizes Bonnie Cashin as a relatively unknown designer.

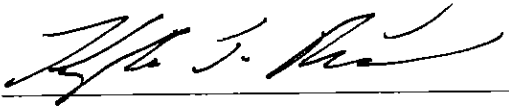
13. Exhibit H is a true and correct copy of a 2016 article from *I-D Magazine*.

14. Exhibit I is a true and correct copy of a 2016 article from *The Minneapolis Star Tribune*.

15. Exhibit J is a true and correct copy of a 2016 transcript from a CBS News broadcast with Applicant concerning Bonnie Cashin.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: August 4, 2016

A handwritten signature in black ink, appearing to read "Kyle T. Peterson", is written over a horizontal line.

Kyle T. Peterson

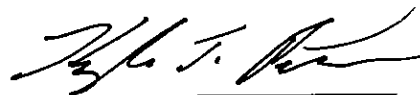


**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing DECLARATION OF KYLE T. PETERSON IN SUPPORT OF APPLICANT'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGEMENT was served on Counsel for Opposers as identified by the records of the U.S. Patent and Trademark Office, this 4th day of August, 2016, by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

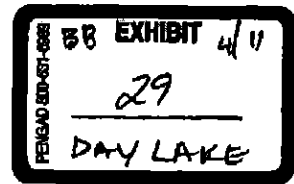
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(734) 418-4268  
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\_\_\_\_\_  
Kyle T. Peterson

## **EXHIBIT A**



**Prutzman, Donald L.**

---

**From:** Dayiverson@aol.com  
**Sent:** Monday, July 02, 2001 10:03 AM  
**To:** Prutzman, Donald L.  
**Subject:** Bonnie Cashin labels

Dear Mr. Prutzman,

I have attached three Bonnie Cashin labels. On most labels throughout her career her actual signature was used, and the labels read "Bonnie Cashin for xxx" and, less frequently, on some of her work for Sills & Co., "Sills & Co. A Bonnie Cashin Design." One of the examples shows block letters that were used for knitwear as well as for experimental or one-off garments.

As I explained to you last week, there are approximately 30 Bonnie Cashin labels for clothing (coats, jackets, tops, skirts, dresses, pants, robes, sweaters) and accessories (handbags, weekend bags, wallets, coin purses, gloves, hats and umbrellas). Her name was first used on a label in October of 1949 and was last used for retail circa 1985.

The label for Russ Taylor is the most legible of the three, and clearly shows her signature as it appeared on labels for a variety of manufacturers. With the exception of Ballantyne Cashmere and Coach leatherware, these are no longer in business. (Regarding these three examples, I am a bit concerned because the images looked much better on my digicam than on my laptop screen.

Please let me know if these will not do.)

It has taken me years to sort through her many unorthodox professional partnerships, and I hope that preventing the use of her name will not entail a Bonnie Cashin lecture series at the firm. I am, however, always available.

Best of luck,  
Stephanie Day Iverson  
718 398 0228

**Prutzman, Donald L.**

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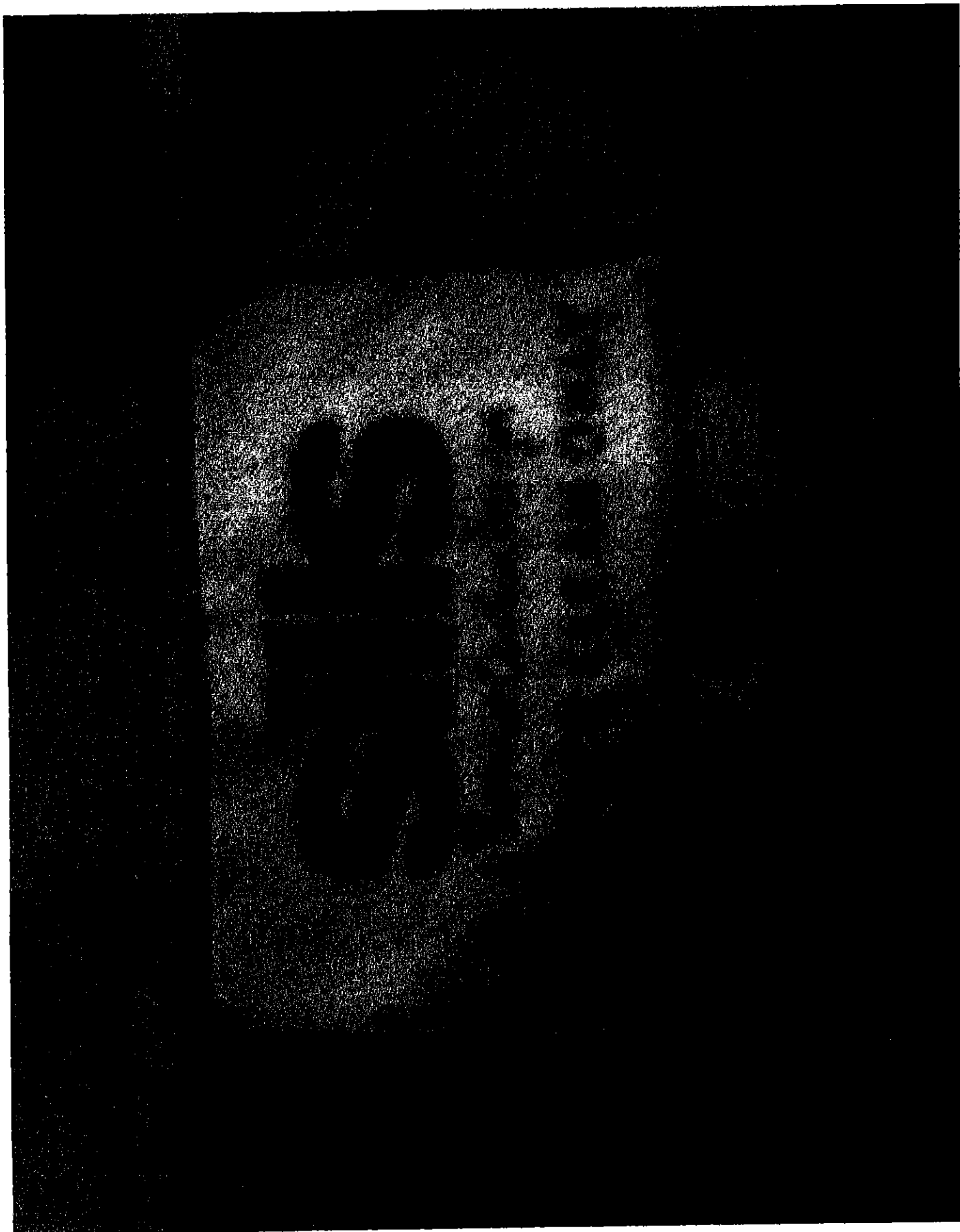
**From:** Daylverson@aol.com  
**Sent:** Monday, July 02, 2001 3:38 PM  
**To:** Prutzman, Donald L.  
**Subject:** Re: Bonnie Cashin labels  
**Attachments:** BCDESIGN.ZIP



BCF0360



BCF0361



BCF0373

## **EXHIBIT B**



Form **990-PF****Return of Private Foundation  
or Section 4947(a)(1) Nonexempt Charitable Trust  
Treated as a Private Foundation**

OMB No 1545-0052

**2011**Department of the Treasury  
Internal Revenue Service

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements

**For calendar year 2011, or tax year beginning , 2011, and ending**

Name of foundation <b>The Bonnie Cashin Foundation</b>		<b>A</b> Employer identification number <b>20-3916197</b>
Number and street (or P.O. box number if mail is not delivered to street address) <b>c/o Law Office of David Wray 60 East 42nd Street</b>		<b>B</b> Telephone number (see the instructions) <b>(212) 354-1920</b>
City or town <b>New York</b>	State ZIP code <b>NY 10165</b>	<b>C</b> If exemption application is pending, check here <input type="checkbox"/>
<b>G</b> Check all that apply <input type="checkbox"/> Initial return <input type="checkbox"/> Final return <input checked="" type="checkbox"/> Address change <input type="checkbox"/> Initial Return of a former public charity <input type="checkbox"/> Amended return <input type="checkbox"/> Name change		<b>D</b> 1 Foreign organizations, check here <input type="checkbox"/> 2 Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>
<b>H</b> Check type of organization <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation		<b>E</b> If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>
<b>I</b> Fair market value of all assets at end of year (from Part II, column (c), line 16) <b>\$ 1,165,515.</b>		<b>F</b> If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>
<b>J</b> Accounting method. <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____ (Part I, column (d) must be on cash basis)		

<b>Part I Analysis of Revenue and Expenses</b> (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
<b>REVENUE</b>	1 Contributions, gifts, grants, etc. received (att sch)				
	2 Ck <input checked="" type="checkbox"/> if the foundn is not req to att Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities	4,288.			
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain/(loss) from sale of assets not on line 10				
	b Gross sales price for all assets on line 6a				
	7 Capital gain net income (from Part IV, line 2)				
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit/(loss) (att sch)					
11 Other income (attach schedule)					
12 <b>Total.</b> Add lines 1 through 11	4,288.				
<b>ADMINISTRATIVE AND OPERATING EXPENSES</b>	13 Compensation of officers, directors, trustees, etc				
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule) <b>L-16a Stmt</b>	13,618.			
	b Accounting fees (attach sch)				
	c Other prof fees (attach sch) <b>L-16c Stmt</b>	368.			
	17 Interest				
	18 Taxes (attach schedule and notes)				
	19 Depreciation (attach sch and depletion				
	20 Repairs				
	21 Travel, conferences, and meetings				
22 Printing and publications					
23 Other expenses (attach schedule)					
24 <b>Total operating and administrative expenses.</b> Add lines 13 through 23	13,986.				
25 Contributions, gifts, grants paid					
26 <b>Total expenses and disbursements.</b> Add lines 24 and 25	13,986.				
27 Subtract line 26 from line 12:					
a <b>Excess of revenue over expenses and disbursements</b>	-9,698.				
b <b>Net investment income</b> (if negative, enter -0-)					
c <b>Adjusted net income</b> (if negative, enter -0-)					

BAA For Paperwork Reduction Act Notice, see instructions.

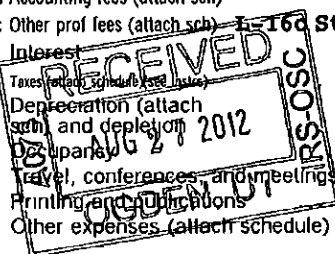
TEEA0301 12/02/11

Form 990-PF (2011)

4614

SCANNED SEP 10 2012

REVENUE

ADMINISTRATIVE  
AND  
OPERATING  
EXPENSES

**Part III Balance Sheets**

Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions.)

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
<b>ASSETS</b>	1 Cash – non-interest-bearing			
	2 Savings and temporary cash investments			
	3 Accounts receivable			
	Less allowance for doubtful accounts			
	4 Pledges receivable			
	Less allowance for doubtful accounts			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see instructions)			
	7 Other notes and loans receivable (attach sch)			
	Less allowance for doubtful accounts			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments – U S and state government obligations (attach schedule)			
	b Investments – corporate stock (attach schedule)			
	c Investments – corporate bonds (attach schedule)			
	11 Investments – land, buildings, and equipment basis			
Less accumulated depreciation (attach schedule)				
12 Investments – mortgage loans				
13 Investments – other (attach schedule) <b>L-13 Stmt</b>	1,175,213.	1,165,515.	1,165,515.	
14 Land, buildings, and equipment basis				
Less accumulated depreciation (attach schedule)				
15 Other assets (describe )				
16 <b>Total assets</b> (to be completed by all filers – see the instructions Also, see page 1, item I)	1,175,213.	1,165,515.	1,165,515.	
<b>LIABILITIES</b>	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, & other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe )			
	23 <b>Total liabilities</b> (add lines 17 through 22)			
<b>NET ASSETS OR FUND BALANCES</b>	<b>Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31.</b> <input checked="" type="checkbox"/>			
	24 Unrestricted	1,175,213.	1,165,515.	
	25 Temporarily restricted			
	26 Permanently restricted			
	<b>Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.</b> <input type="checkbox"/>			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, building, and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 <b>Total net assets or fund balances</b> (see instructions)	1,175,213.	1,165,515.	
	31 <b>Total liabilities and net assets/fund balances</b> (see instructions)	1,175,213.	1,165,515.	

**Part III Analysis of Changes in Net Assets or Fund Balances**

1 Total net assets or fund balances at beginning of year – Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	1,175,213.
2 Enter amount from Part I, line 27a	2	-9,698.
3 Other increases not included in line 2 (itemize)	3	
4 Add lines 1, 2, and 3	4	1,165,515.
5 Decreases not included in line 2 (itemize)	5	
6 Total net assets or fund balances at end of year (line 4 minus line 5) – Part II, column (b), line 30	6	1,165,515.

**Part IV Capital Gains and Losses for Tax on Investment Income**

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shares MLC Company)		(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1 a				
b				
c				
d				
e				

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
(l) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	
a			
b			
c			
d			
e			

2 Capital gain net income or (net capital loss)	<div style="border: 1px solid black; padding: 2px;">           If gain, also enter in Part I, line 7            If (loss), enter -0- in Part I, line 7         </div>		2	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)	<div style="border: 1px solid black; padding: 2px;">           If gain, also enter in Part I, line 8, column (c) (see instructions) If (loss), enter -0- in Part I, line 8         </div>		3	

**Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income**

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes☐ No

If 'Yes,' the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year, see the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (column (b) divided by column (c))
2010			
2009			
2008			
2007			
2006			

2 Total of line 1, column (d)	2	
3 Average distribution ratio for the 5-year base period — divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	
4 Enter the net value of noncharitable-use assets for 2011 from Part X, line 5	4	
5 Multiply line 4 by line 3	5	
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	
7 Add lines 5 and 6	7	
8 Enter qualifying distributions from Part XII, line 4	8	

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions.

**Part V Excise Tax Based on Investment Income** (Section 4940(a), 4940(b), 4940(e), or 4948 – see instructions)

1 a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter 'N/A' on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary – see instrs)		1	
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b			
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, column (b)			
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		2	
3 Add lines 1 and 2		3	0.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	0.
6 Credits/Payments			
a 2011 estimated tax pmts and 2010 overpayment credited to 2011		6a	
b Exempt foreign organizations – tax withheld at source		6b	
c Tax paid with application for extension of time to file (Form 8868)		6c	
d Backup withholding erroneously withheld		6d	
7 Total credits and payments. Add lines 6a through 6d		7	
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached		8	
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		9	0.
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid		10	0.
11 Enter the amount of line 10 to be credited to 2012 estimated tax		11	
		Refunded	

**Part VII Statements Regarding Activities**

	Yes	No
1 a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see the instructions for definition)?		X
If the answer is 'Yes' to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities		
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation <input type="checkbox"/> \$ _____ (2) On foundation managers <input type="checkbox"/> \$ _____		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$ _____		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If 'Yes,' attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If 'Yes,' attach a conformed copy of the changes		X
4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If 'Yes,' has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If 'Yes,' attach the statement required by General Instruction T		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?		X
7 Did the foundation have at least \$5,000 in assets at any time during the year? If 'Yes,' complete Part II, column (c), and Part XV	X	
8 a Enter the states to which the foundation reports or with which it is registered (see instructions)		
b If the answer is 'Yes' to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If 'No,' attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2011 or the taxable year beginning in 2011 (see instructions for Part XIV)? If 'Yes,' complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If 'Yes,' attach a schedule listing their names and addresses		X

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Form 990-PF (2011)

**Part VII-A Statements Regarding Activities (continued)**

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If 'Yes', attach schedule (see instructions)	11		X
12	Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If 'Yes', attach statement (see instructions)	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address <b>N/A</b>	13	X	
14	The books are in care of <b>Law Office of David Wray</b> Telephone no <b>(212) 354-1920</b> Located at <b>60 E42nd St, Suite 4600 New York NY</b> ZIP + 4 <b>10165</b>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the year <b>15</b>			
16	At any time during calendar year 2011, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country?	16	Yes	No
See the instructions for exceptions and filing requirements for Form TD F 90-22.1 If 'Yes,' enter the name of the foreign country				

**Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required**

File Form 4720 if any item is checked in the 'Yes' column, unless an exception applies.

	Yes	No
1a During the year did the foundation (either directly or indirectly)		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(6) Agree to pay money or property to a government official? (Exception. Check 'No' if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If any answer is 'Yes' to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see instructions)?		
Organizations relying on a current notice regarding disaster assistance check here <input type="checkbox"/>		
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2011?		X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))		
a At the end of tax year 2011, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2011?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If 'Yes,' list the years <b>20__ , 20__ , 20__ , 20__</b>		
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer 'No' and attach statement - see instructions)		
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here <b>20__ , 20__ , 20__ , 20__</b>		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If 'Yes,' did it have excess business holdings in 2011 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2011)		
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2011?		X

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Form 990-PF (2011)

**Part VII B Statements Regarding Activities for Which Form 4720 May Be Required (continued)****5a** During the year did the foundation pay or incur any amount to**(1)** Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?☐ Yes ☒ No**(2)** Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?☐ Yes ☒ No**(3)** Provide a grant to an individual for travel, study, or other similar purposes?☐ Yes ☒ No**(4)** Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see instructions)☐ Yes ☒ No**(5)** Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?☐ Yes ☒ No**b** If any answer is 'Yes' to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

Organizations relying on a current notice regarding disaster assistance check here

☐**c** If the answer is 'Yes' to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?☐ Yes ☐ No

If 'Yes,' attach the statement required by Regulations section 53.4945-5(d)

**6a** Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?☐ Yes ☒ No**b** Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

If 'Yes' to 6b, file Form 8870

☐ Yes ☒ No**7a** At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?**b** If 'Yes,' did the foundation receive any proceeds or have any net income attributable to the transaction?☐ Yes ☒ No**Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors****1** List all officers, directors, trustees, foundation managers and their compensation (see instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (if not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
David W. Baum 517 E 77th Street, Apt 4B New York NY 10075	Trustee	0.00	0.	0.
Lucia Kellar 405 West 23rd Street, Apt 6E New York NY 10011	Trustee	0.00	0.	0.

**2** Compensation of five highest-paid employees (other than those included on line 1— see instructions). If none, enter 'NONE.'

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
None				
0				
0				
0				
0				

Total number of other employees paid over \$50,000

None

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Form 990-PF (2011)

**Part VII** Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)**3** Five highest-paid independent contractors for professional services (see instructions). If none, enter 'NONE.'

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
None		
Total number of others receiving over \$50,000 for professional services		None

**Part IX-A** Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.

	Expenses
1	
2	
3	
4	

**Part IX-B** Summary of Program-Related Investments (see instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1	
2	
All other program-related investments See instructions	
3	
Total. Add lines 1 through 3	

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Form 990-PF (2011)

**Part X** Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

<b>1</b> Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
<b>a</b> Average monthly fair market value of securities	<b>1a</b>	
<b>b</b> Average of monthly cash balances	<b>1b</b>	
<b>c</b> Fair market value of all other assets (see instructions)	<b>1c</b>	
<b>d</b> Total (add lines 1a, b, and c)	<b>1d</b>	
<b>e</b> Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1e</b>	
<b>2</b> Acquisition indebtedness applicable to line 1 assets	<b>2</b>	
<b>3</b> Subtract line 2 from line 1d	<b>3</b>	0.
<b>4</b> Cash deemed held for charitable activities. Enter 1-1/2% of line 3 (for greater amount, see instructions)	<b>4</b>	0.
<b>5</b> Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	<b>5</b>	0.
<b>6</b> Minimum investment return. Enter 5% of line 5	<b>6</b>	0.

**Part XI** Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

<b>1</b> Minimum investment return from Part X, line 6	<b>1</b>	0.
<b>2a</b> Tax on investment income for 2011 from Part VI, line 5	<b>2a</b>	0.
<b>b</b> Income tax for 2011 (This does not include the tax from Part VI)	<b>2b</b>	
<b>c</b> Add lines 2a and 2b	<b>2c</b>	0.
<b>3</b> Distributable amount before adjustments. Subtract line 2c from line 1	<b>3</b>	0.
<b>4</b> Recoveries of amounts treated as qualifying distributions	<b>4</b>	
<b>5</b> Add lines 3 and 4	<b>5</b>	0.
<b>6</b> Deduction from distributable amount (see instructions)	<b>6</b>	
<b>7</b> Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	<b>7</b>	0.

**Part XII** Qualifying Distributions (see instructions)

<b>1</b> Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes	<b>1a</b>	
<b>a</b> Expenses, contributions, gifts, etc. — total from Part I, column (d), line 26	<b>1b</b>	
<b>b</b> Program-related investments — total from Part IX-B	<b>2</b>	
<b>2</b> Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes		
<b>3</b> Amounts set aside for specific charitable projects that satisfy the		
<b>a</b> Suitability test (prior IRS approval required)	<b>3a</b>	
<b>b</b> Cash distribution test (attach the required schedule)	<b>3b</b>	
<b>4</b> Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	<b>4</b>	
<b>5</b> Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see instructions)	<b>5</b>	0.
<b>6</b> Adjusted qualifying distributions. Subtract line 5 from line 4	<b>6</b>	0.

**Note.** The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

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Form 990-PF (2011)



**Part XIII** Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2010	(c) 2010	(d) 2011
<b>1</b> Distributable amount for 2011 from Part XI, line 7				0.
<b>2</b> Undistributed income, if any, as of the end of 2011.				
<b>a</b> Enter amount for 2010 only				
<b>b</b> Total for prior years 20____, 20____, 20____				
<b>3</b> Excess distributions carryover, if any, to 2011				
<b>a</b> From 2006				
<b>b</b> From 2007				
<b>c</b> From 2008				
<b>d</b> From 2009				
<b>e</b> From 2010				
<b>f</b> Total of lines 3a through e				
<b>4</b> Qualifying distributions for 2011 from Part XII, line 4 ▶ \$ _____				
<b>a</b> Applied to 2010, but not more than line 2a				
<b>b</b> Applied to undistributed income of prior years (Election required — see instructions)				
<b>c</b> Treated as distributions out of corpus (Election required — see instructions)				
<b>d</b> Applied to 2011 distributable amount				
<b>e</b> Remaining amount distributed out of corpus	0.			
<b>5</b> Excess distributions carryover applied to 2011 (If an amount appears in column (d), the same amount must be shown in column (a) )				
<b>6</b> Enter the net total of each column as indicated below:				
<b>a</b> Corpus Add lines 3f, 4c, and 4e Subtract line 5	0.			
<b>b</b> Prior years' undistributed income Subtract line 4b from line 2b		0.		
<b>c</b> Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed				
<b>d</b> Subtract line 6c from line 6b Taxable amount — see instructions		0.		
<b>e</b> Undistributed income for 2010 Subtract line 4a from line 2a Taxable amount — see instructions			0.	
<b>f</b> Undistributed income for 2011 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2012				0.
<b>7</b> Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)				
<b>8</b> Excess distributions carryover from 2006 not applied on line 5 or line 7 (see instructions)	0.			
<b>9</b> Excess distributions carryover to 2012. Subtract lines 7 and 8 from line 6a	0.			
<b>10</b> Analysis of line 9				
<b>a</b> Excess from 2007	0.			
<b>b</b> Excess from 2008	0.			
<b>c</b> Excess from 2009	0.			
<b>d</b> Excess from 2010	0.			
<b>e</b> Excess from 2011	0.			

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Form 990-PF (2011)

**Part XIV Private Operating Foundations** (see instructions and Part VII-A, question 9)

N/A

**1** a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2011, enter the date of the ruling ▶

**b** Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

**2** a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed

Tax year	Prior 3 years			(e) Total
(a) 2011	(b) 2010	(c) 2009	(d) 2008	
b 85% of line 2a				
c Qualifying distributions from Part XII, line 4 for each year listed				
d Amounts included in line 2c not used directly for active conduct of exempt activities				
e Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c				
<b>3</b> Complete 3a, b, or c for the alternative test relied upon				
a 'Assets' alternative test — enter				
(1) Value of all assets				
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)				
b 'Endowment' alternative test — enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed				
c 'Support' alternative test — enter				
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)				
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)				
(3) Largest amount of support from an exempt organization				
(4) Gross investment income				

**Part XV Supplementary Information** (Complete this part only if the organization had \$5,000 or more in assets at any time during the year — see instructions.)**1 Information Regarding Foundation Managers:**

- a** List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000) (See section 507(d)(2) )
- b** List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

**2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:**

Check here ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

**a** The name, address, and telephone number of the person to whom applications should be addressed.

**b** The form in which applications should be submitted and information and materials they should include

**c** Any submission deadlines

**d** Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

**Part V** Supplementary Information (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
<i>a Paid during the year</i>				
<b>Total</b>			<b>3a</b>	
<i>b Approved for future payment</i> <b>Friends of the High Line, Inc.</b> <b>529 West 20th Street, Suite 8W</b> <b>New York NY 10011</b>		501(c)(3) charity cur	<b>Public Charity</b> <b>Non-Profit Conservancy</b> <b>Preservation of a</b> <b>Historic Structure</b>	<b>60,000.</b>
<b>Total</b>			<b>3b</b>	<b>60,000.</b>

## **Part XVI-A Analysis of Income-Producing Activities**

Enter gross amounts unless otherwise indicated

Enter gross amounts unless otherwise indicated		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See instructions)
		(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
1	Program service revenue					
a						
b						
c						
d						
e						
f						
g	Fees and contracts from government agencies					
2	Membership dues and assessments					
3	Interest on savings and temporary cash investments					
4	Dividends and interest from securities	900001	4,288.			
5	Net rental income or (loss) from real estate					
a	Debt-financed property					
b	Not debt-financed property					
6	Net rental income or (loss) from personal property					
7	Other investment income					
8	Gain or (loss) from sales of assets other than inventory					
9	Net income or (loss) from special events					
10	Gross profit or (loss) from sales of inventory					
11	Other revenue					
a						
b						
c						
d						
e						
12	Subtotal. Add columns (b), (d), and (e)		4,288.			
13	Total. Add line 12, columns (b), (d), and (e)					4,288.

(See worksheet in line 13 instructions to verify calculations)

## **Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes**

[illegible]



Form 990-PF, Page 1, Part I

**Line 16a - Legal Fees**

Name of Provider	Type of Service Provided	Amount Paid Per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
<u>Tannenbaum Et Al</u>	<u>Legal</u>	<u>6,292.</u>			
<u>LODW</u>	<u>Legal</u>	<u>7,326.</u>			
Total		<u><u>13,618.</u></u>			

Form 990-PF, Page 1, Part I

**Line 16c - Other Professional Fees**

Name of Provider	Type of Service Provided	Amount Paid Per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
<u>Merrill Lynch</u>	<u>Investment</u>	<u>150.</u>			
<u>Newteck Tech</u>	<u>Internet</u>	<u>218.</u>			
Total		<u><u>368.</u></u>			

Form 990-PF, Page 2, Part II, Line 13

**L-13 Stmt**

Line 13 - Investments - Other:	End of Year	
	Book Value	Fair Market Value
<u>Merrill Lynch Bank Deposit Program</u>	<u>1,165,515.</u>	<u>1,165,515.</u>
Total	<u><u>1,165,515.</u></u>	<u><u>1,165,515.</u></u>

## **EXHIBIT C**

Home | Sitemap | Search

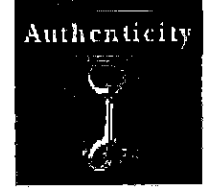
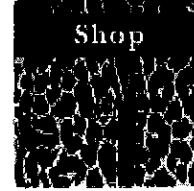
 


*Wouldn't it be nice if I could  
tweed by spinning together a bird's nest and a spool  
of yarn*

One of the most critically acclaimed and commercially successful American fashion designers of the twentieth-century, Bonnie Cashin (1908–2000) revered for her intellectual, opinionated, and independent approach to wear. She designed exclusively for herself and appealed to women with her nonconformist attitude, such as clients Marlene Dietrich, Gloria Vanderbilt, and Mary Quant. She worked with companies ranging from Hermès to American Airlines, and was handpicked for projects as diverse as advising the U.S. government on export design and launching Coach as a maker of women's accessories. Through her contagious passion for her work, she crafted storybook tales of discovery and madcap adventure and became a design

Cashin, 1962

A "nomad by nature," Cashin grew up in a string of California cities, from the foothills of Aspen and Latin American communities. She adored Ch





[Home](#) | [Sitemap](#) | [Search](#)

Cashin, center, and models wearing her designs at Neiman Marcus, 1976.

## Vintage

[MidCenturyChic](#)

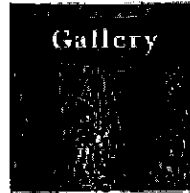
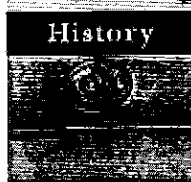
Couture, designer, and unique vintage designs.

[Swank Vintage](#)

Clothing and Accessories of Extraordinary Style

[Enokiworld](#)

Vintage clothing for modern women.



## **EXHIBIT D**

-----Original Message-----

From: [grady455@earthlink.net](mailto:grady455@earthlink.net)

To: [david@wray-law.com](mailto:david@wray-law.com); [dayiverson@aol.com](mailto:dayiverson@aol.com)

Sent: Sun, 13 Aug 2006 7:45 PM

Subject: Re: Cashin estimates

The stationary proposal is well thought out and I agree that we should proceed as outlined. Just wading through things and will write more shortly.  
Keep up the good work, Stephanie!  
Henry

David Wray wrote:

Hi Stephanie: Thanks for your emails. Everything sounds great, and I expect Henry will want to proceed on the stationary exactly in accord with your suggestions but you are right we should await his return before plunking down the money. Once the stationary is available I will go online and buy some for myself—I can wait till then to enjoy the white linen paper. I have complete confidence (I think Henry does too) in your judgment on matters of taste, which is among the reasons we are so lucky to have your help. I will talk with Don Prutzman about the trademark question and let you know. Many thanks and I think all of this is quite exciting. David

---

**From:** [dayiverson@aol.com](mailto:dayiverson@aol.com) [<mailto:dayiverson@aol.com>]

**Sent:** Wednesday, July 26, 2006 12:52 PM

**To:** [david@wray-law.com](mailto:david@wray-law.com); [grady455@earthlink.net](mailto:grady455@earthlink.net)

**Subject:** Fwd: Cashin estimates

Dear David,

I realize that until Henry's return decisions will not be made, but attached is the estimate for creating Bonnie stationary. The estimate reflects printing a quantity of 500 cards with plain envelopes (one image only) for \$592 (each card costs \$1.18 to make), or 1000 cards for \$712.41 (each card costs .72 to make). The paper is a beautiful white linen, and I can send a sample off to NY if you would like.

Ideally we would print 4 different images, 1000 each, at a total cost of \$2849.64. If we sold packages of 8 cards we would have the following:

-500 sets of cards

-cost to produce of each set of cards \$5.68

-retail \$12

-\$6.32 in proceeds

-237 sets sold to recover costs

-\$1662.16 in final profit

An additional cost would be packaging of some sort. Most groups of cards are sold in a box, but

I would like to investigate flat packing (an envelope, basically) as well - something appropriate and not pricey!

This is just one proposed route in terms of pricing and quantity (and I used a rarely visited part of my mind to generate this!), and certainly the numbers can be adjusted. Obviously the more cards that we print, the lower our cost but as the goal is to get a stationary license, not go into the stationary biz, this seems like a reasonable quantity. Also, if only recovering the \$2849.64 investment is necessary on this project, the retail cost could go down. I am checking with the printer to see if we can have a numbered series. I think selling these as a numbered limited edition would increase the appeal. I may have to hand number them, but it does give them more "value."

I should receive estimates for my letterhead and cards shortly.

Thank you (for wading through this),  
Stephanie

## **EXHIBIT E**

Wrangler

ADVANCED COMFORT™  
JEANS



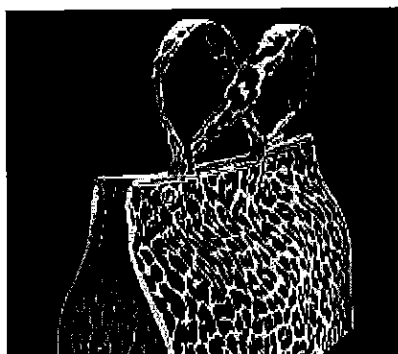
## BEST BETS DAILY: WEDNESDAY

Text Size: [A](#) | [A](#) | [A](#)

# Glamour Puss

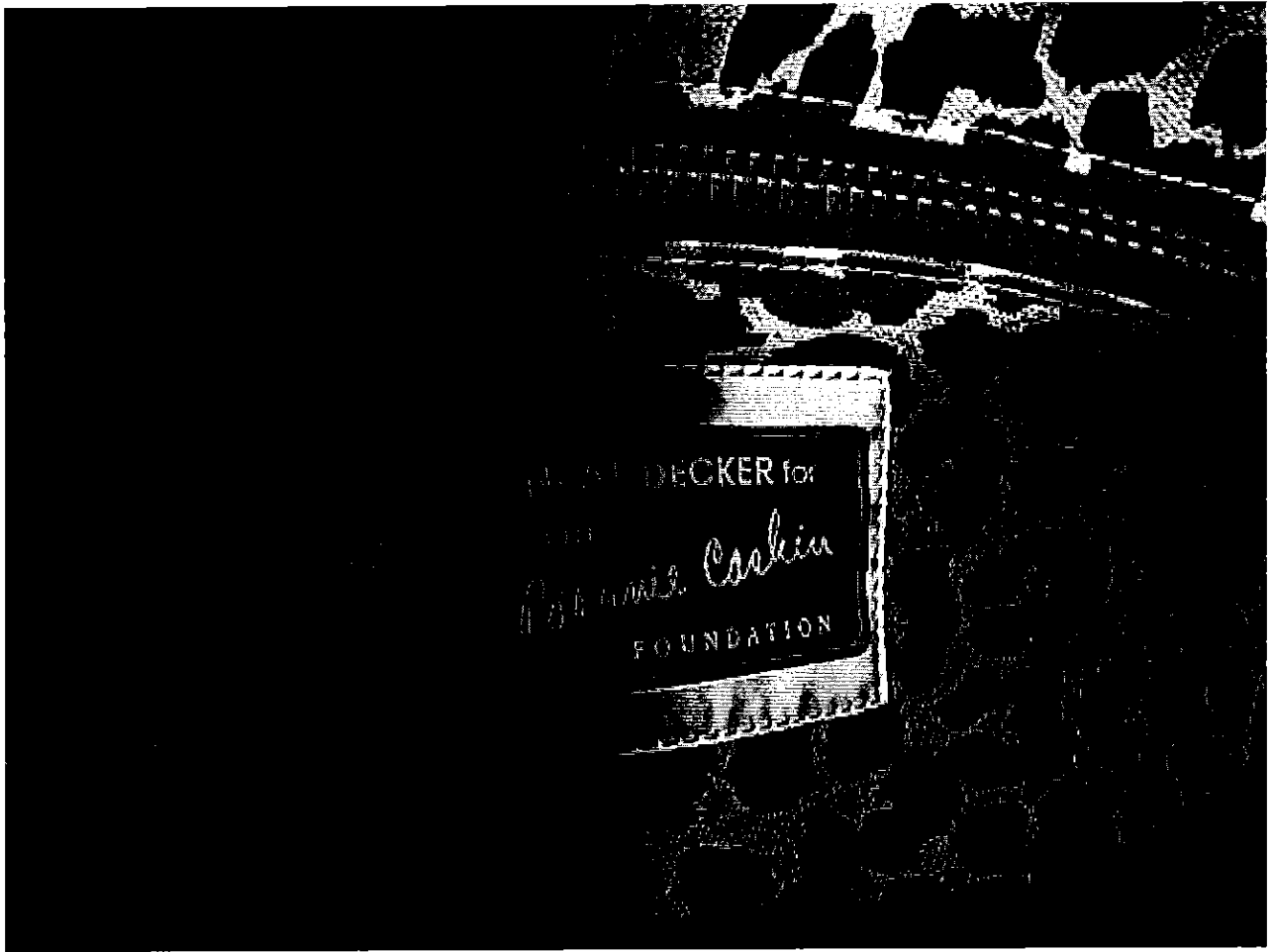
By Rima Suqi [Publisher](#)

[Comment](#)



*Posted August 9, 2006*

Every woman should have an animal print something in her closet. The easiest item to pull off is either a pair of shoes or a bag, and if you need the latter, I've found one that is gorgeous and doesn't have a comma in the price tag. Neal Decker teamed up with the Bonnie Cashin Foundation to produce a tote from Cashin's design archive, with the original cheetah print Cashin canvas and brass closures. A collectible and—to my mind—a bargain.



## **EXHIBIT F**



Q. There is a mention of a potential project with Neal Decker. Do you see that?

A. I do.

Q. What was that opportunity?

A. One of my concepts for relaunching  
the name was -- as documented by the press was to  
5 bring in basically guest designers to reinterpret  
6 Bonnie's work and to do limited editions. Neal  
7 Decker, who was at that point a handbag designer  
8 and friend of mine, and I asked him to -- he was  
9 doing a line of tote bags. I asked him to do a 10 tote bag that could be sold to benefit the 11  
foundation.

12 Q. And was part of the potential  
13 opportunity that is some of his work would be 14 available for sale on the foundation website? 15

A. Yeah. There would be a Neal Decker 16 design that would be for sale. 17

(Deposition Exhibit 5 was marked

18 for identification.) 19 BY MS SWEDLOW:

## **EXHIBIT G**



The New York Times



# The Forgotten Designer Behind Some of Fashion's Biggest Trends



**By CHRISTOPHER PETKANAS MAY 10, 2016**

As the leather goods and apparel company Coach celebrates its 75th anniversary this year with an ad campaign focused on its heritage, a battle has been going on in the United States Patent and Trademark Office for the rights to the name of perhaps its best-known designer, Bonnie Cashin.

Call it a tempest in a bucket bag.

For anyone under 40, Cashin's name doesn't exactly resonate, though some fashion scholars go so far as to credit her with inventing American sportswear.

The designer, who died in 2000 (Cashin maintained that she was born in 1915, though the census for 1910 puts her birth year at "abt 1908"), left a legacy of hard-working ponchos and wizardly "carriables," a.k.a. handbags.

Stephanie Lake, a protégé of Cashin's who owns her vast personal design archive and is the author of a recent monograph, "Bonnie Cashin: Chic Is Where You Find It," filed an application in the United States Patent and Trademark Office in 2012 to obtain the Cashin trademark, which had never been registered. It was approved by the trademark office the next year, pending opposition.

Photo



Bonnie Cashin for Coach, 1962-1967. Credit Stephanie Lake Collection

This opposition has come partly from Coach, whose original parent company, Gail Leather Products, hired Cashin in 1962 as Coach's first designer. Coach has since grown into a behemoth with net sales of \$954 million in the last reported quarter, but it was not Cashin's only client. She also designed for Hermès, Ballantyne and Aquascutum, among dozens of other firms, as well as under her own label.

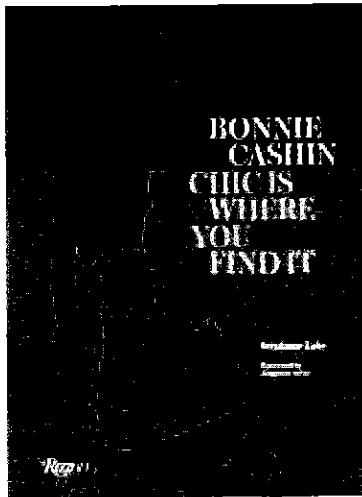
Ms. Lake, 43, a jewelry designer based in Minnetonka, Minn., says she notices Cashin's impact, unattributed, everywhere. "Everyone from Miu Miu to Rachel Zoe has something in their collections that is specifically Bonnie," she said in a recent interview.

Isaac Mizrahi, who has explicit affinities with Cashin, acknowledged that "oh my God, yes, she influenced me profoundly."

Cashin also won the praise of her contemporaries, including those with alien aesthetic sympathies. "You are the most original and creative talent we have," Norman Norell, who dressed ladies who lunch, said in a telegram to her in 1965. She is often cited not just for creating the concept of layering, but for coining the term, as well as for her pioneering use of leather, mohair and hardware. The brass turnlocks that kept the top of her 1940s convertible down became the innocent detail that has sold a zillion handbags for Coach. The clasp at the end of a dog leash found its way not only onto baguettes and feedbags, but also to the waistband of a fuzzy ankle-grazing blanket skirt, Cashin's answer to the hostess's need for mobility. D-rings below the clasps could be attached, hitching the skirt so madame could pass the canapés.

The matter of rights to her name has been complicated by the trustees of the Bonnie Cashin Foundation, which has joined Coach as the opposition in the trademark office filings. Ms. Lake was creative director of the foundation until 2012. She said the end of her term was triggered by a change in trustees, to Lucia Kellar and David Blum.

- Photo



"Bonnie Cashin: Chic Is Where You Find It", by Stephanie Lake.

L. Donald Prutzman, the lawyer for Ms. Kellar and Mr. Blum, and Victor Luis, chief executive of Coach, declined to comment.

Fashion generates disciples, but rarely ones as devoted as Ms. Lake. She can tell you the value of Cashin's first contract with Coach (\$2,500 for two collections) and the color of the Nelson Marshmallow sofa in her studio (yellow).

Were Ms. Lake to prevail, she said Isabel Toledo would be among the first designers she would call to reinvigorate the Cashin brand, observing that she shares the founder's "fascination with transforming geometric, even architectural forms into kinetic art." Ms. Lake is also weighing re-editions, in the manner of Cashin's fellow modernists Ray and Charles Eames.

But it is worth noting that a little reverence goes a long way when exhuming a fashion idol. Successful revivals usually have an element of blasphemy, as with Chanel, universally held up as a house that did it right.

Mr. Mizrahi had no trouble envisioning himself as Cashin's successor, saying that "the name has bearing only if pushed to an edge that matters." Unaware of Ms. Lake's dispute, he said it would be "supersmart for Coach to launch a Cashin module, but not just things she did. It could be Coach's 'black label,'" he said, employing the term for a high-end collection within a brand.

Photo



A Bonnie Cashin ensemble, mid-1970s. Credit Stephanie Lake Collection

Ms. Lake tends to romanticize Cashin's years with Coach as a love fest with the company's owners, Lillian and Miles Cahn. Cashin "designed some very expensive bags," Mr. Cahn told The New Yorker, "and they didn't really sell."

Reed Krakoff, who stepped down as Coach's designer in 2013 after 17 years, said that "from Day 1 we looked at Cashin's work. Many times we reissued her bags, knitwear, outerwear and recreated product from her history." In 2011, Coach appears to have sought to formalize its claim to the Cashin name by licensing it from the foundation, and Bonnie-inflected merchandise filled the shelves.

#### NYT Living Newsletter

Get lifestyle news from the Style, Travel and Food sections, from the latest trends to news you can use.

But according to Ms. Lake's lawyer, Kyle Peterson, the license was never the foundation's to issue, as it did not hold the trademark. This may explain why Stuart Ververs, who replaced Mr. Krakoff, has thus far left Cashin out of the marketing hoopla and product introductions attached to Coach's current anniversary.

In any case, one has to dig pretty deep on the Coach website to find a mention of her. The turnlock on the Dinky bag is attributed to Cashin but not the Duffle, which is described in a Coach filing in support of its challenge as a "brand anchor" "introduced" "under Cashin's name" and on the website simply as "quite possibly the most iconic Coach silhouette of all time."

Were all the legal latches and leashes unlocked, could Bonnie Cashin re-emerge as a stand-alone brand? "It's the million-dollar question," Mr. Krakoff said. "My sense is that there is not a whole lot of recognition outside the industry. It doesn't mean there couldn't be over time. It all depends on who is doing the rediscovering."



## **EXHIBIT H**



i-D



today on i-D

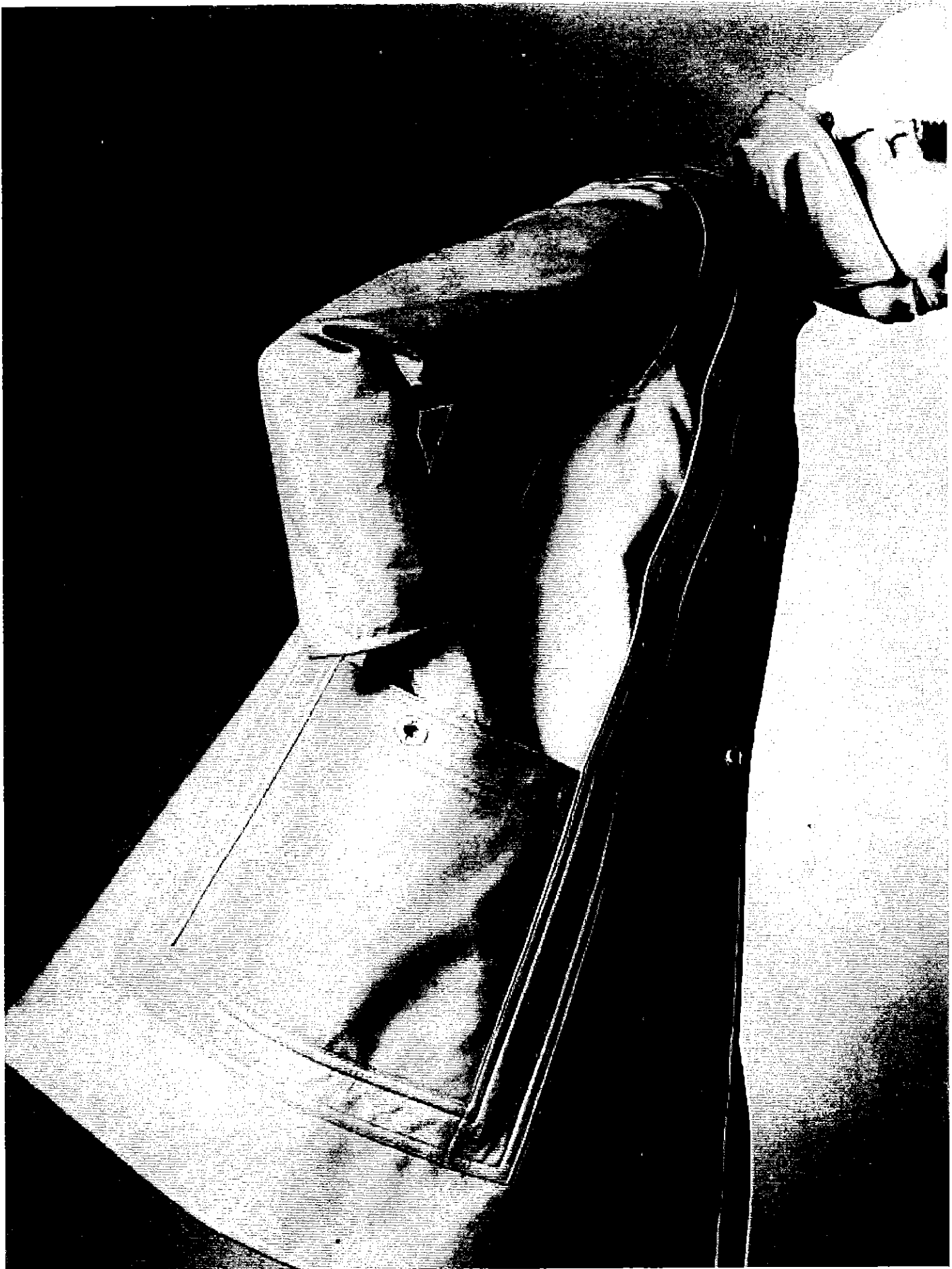


# bonnie cashin, the most copied fashion designer you've never heard of

When Phoebe Philo debuted her new vision for Céline in 2009, her return to fashion was met with unanimous and well-deserved praise. Celebrated for its minimalist and modernist leanings it was touted as a breath of fresh air to the fashion industry. What went unsaid in the reviews and ensuing coverage was that the collection, in its utilitarian chic and leather trimmed canvas, echoed the work of another designer, one almost forgotten within the annals of fashion: Bonnie Cashin.

Her influence has made it onto the runways of Tom Ford, Chloé, and even Nicolas Ghesquière's Balenciaga, but her name is familiar only to costume historians and vintage enthusiasts. If you ran it by the average editor you'll likely be met with a blank stare. Though many are unaware, Cashin was in fact

a mega talent, a star designer who dressed Marlene Dietrich, who sold her clothes at Liberty in London and at Hermès in Paris, and won so many industry awards that she began using them as doorstops. Most historians will agree that Cashin is one of the most innovative designers America ever produced. And now Rizzoli has lifted her oeuvre out of obscurity with the first-ever book published on the designer, *Bonnie Cashin: Chic Is Where You Find It*.



Written by historian Stephanie Lake, it's one of the most comprehensive accounts of any fashion designer's work and life. Lake befriended the designer in her later years and when Cashin passed in 2000 was entrusted with her estate and her legacy. She spent the next 15 years sorting through the archive, digging through papers and contracts, and piecing together her story. "I worked with Bonnie nearly every day, she told me so many stories, and we became incredibly close," Lake explains. "But I got to know Bonnie in a completely new way after she died."

*Chic Is Where You Find It* is thorough to say the least, chronicling not only Cashin's life and work but also her philosophical ideas about life and fashion, which in their time were rebellious and defied convention. Cashin was an individualist, working more like an industrial designer than a maker of high-end women's clothing, prizing pragmatism and reality, an antidote to the decadent frivolity of the 50s during which she made her name.

Her innovations include the use of hardware on apparel: industrial zips, latches and turn locks cast in glistening brass. She sought inspiration from East Asia, adapting the region's ancient and elegant costumes into modern solutions. From there she got the idea of layering — clothing that could adapt to different temperatures and occasions — revolutionary at a time when couturiers designed a change of clothes for nearly every hour of the day. Even her business practice was distinct. She maintained a laboratory through which she would produce prototypes and command a slew of design contracts. Instead of directly operating a manufacturing business, or licensing her name, she designed for specialty firms with her label sitting beside theirs. A partnership with Sills & Co. led to the creation of her trademark leather trimmed hem. She was even invited by Hermès to design sportswear (and make it with her own factories) but declined the offer when she learned her clothes were being sold at their store with her label removed. In the late 50s a handbag company called Gail Leather Products asked Cashin to design a completely new line for them. It debuted in 1962. It was called Coach.



Cashin designed Coach from 1962 to 1974. Her approach to handbags was as keen as her approach to clothes, reductively designing tools for "carrying things" instead of decoration or status. Crafted from her distinct modernist language and made to her exacting standards by a special team of craftsmen, Cashin's pieces transmuted utility into luxury. Needless to say, Coach was a huge success.

Despite Cashin's immense influence, her name faded throughout the years. "When you don't license, and you retire and you don't have anyone working under you who continues on, you begin to disappear," says Lake. Certainly Cashin's uncompromising conviction didn't help. "Bonnie was opinionated, she was frank." Lake divulges. "She was witty and amazing, but she was very open with what she didn't like about the fashion system." Cashin operated as an outsider and a choice quote from the designer reveals how she saw herself in context: "Fashion is now. Fashion is acceptance. Fashion is popularity. A large part of my work is anti-fashion. It is the future. It is conjecture. It has not yet been accepted."

*Bonnie Cashin: Chic Is Where You Find It* is a rewarding and inspiring journey through the mind of one of fashion's greatest inventors and iconoclasts. Filled with never-before-seen archival material it illuminates the poignancy and scope of a long neglected talent. But for Lake, telling Cashin's story is not just about reclaiming a past, it also carries a potent message for our present: "to have a new idea, to be original, to innovate and change the course of your industry — to do something that is truly new — you can still do that today."

## **EXHIBIT I**



## A rare peek into a very special fashion collection

How an influential New York designer's archive landed here in Minnesota.

By Jahna Peloquin Special to the Star Tribune

JUNE 2, 2016 — 10:51AM

### GALLERY GRID

[Prev](#) **1/22** [Next](#)



JEFF WHEELER — STAR TRIBUNE

Gallery: Stephanie Lake in her home office Thursday afternoon. She's holding the book she just wrote, *Bonnie Cashin: Chic Is Where You Find It*. Cashin's artwork is on the walls and a self portrait she painted is at the end of the hall.

Clad in a flowing maxi-dress, sheer cardigan, bejeweled necklace (of her own design) and towering platform heels, Stephanie Lake positively glides through her Minnetonka home — despite the fact that her two excitable pug dogs and 2-year-old daughter, Odette, are constantly underfoot. With the recent publishing of her Rizzoli book "*Bonnie Cashin: Chic Is Where You Find It*," the house is bustling with more activity than ever.

The book, the first to be written about the highly influential American fashion designer, is an intimate, comprehensive overview featuring never-before-seen images from Cashin's personal collection and a

foreword by designer Jonathan Adler. Glowing reviews from the Wall Street Journal, New York Times and the New York Journal of Books have followed.

Little known outside of fashion circles, Cashin was the original designer behind Coach's women's accessories, defining the brand's style and sensibility. But she was much more. Women's Wear Daily noted her "lasting influence on American sportswear," while i-D magazine has called her "one of fashion's greatest inventors and iconoclasts."

Lake is a jewelry designer with a doctorate in design. She and Cashin became unlikely friends in the late 1990s while Lake was a graduate student and research consultant for Sotheby's auction house in New York. It all began with a turquoise leather jacket designed by Cashin, which Lake was tasked to research. She called Cashin, then in her late 80s.

When the pair met, "we just clicked," Lake said. "Even though she was 60-odd years older than me, we were like sisters. She recognized something in me, and I listened to her."

When she realized no one had ever written a book on Cashin, Lake told the designer: "I want to redress the historical neglect of your career." She sort of chuckled and said, 'That will take you years.' I didn't realize at the time that it would be a lifetime project," said Lake.



After striking up a friendship with mid-century fashion designer Bonnie Cashin while living in New York, Minnetonka jewelry designer Stephanie Lake is now the custodian of Cashin's vast archive of everything from notebooks to finished garments.

More

Nor did she realize that Cashin, upon her death in 2000, would leave her complete archive, as well as everything from her apartment, to Lake. While Lake's home is not a shrine to Cashin, you can't go more than a few steps without seeing something created or collected by the designer — an abstract self-portrait, sketches from her 1950s showroom, a sketch of a 1940s film costume.

### **Bonnie's story**

For her dissertation, Lake chronicled the designer's career, beginning in the 1920s when a 16-year-old Cashin landed a job as costume designer for a troupe of showgirls under contract with West Coast impresarios Fanchon and Marco. In 1933, Fanchon and Marco took over the Roxy Theater in New York City, and Cashin became costume designer for the Roxyettes.

After attending one of their shows, Harper's Bazaar editor Carmel Snow was so impressed that she arranged a job for Cashin at design house Adler & Adler in 1937. Soon, Mayor Fiorello LaGuardia appointed her to a secret team to design civilian defense uniforms for female workers in anticipation of World War II. In 1943, Cashin moved to Hollywood to design costumes for Twentieth Century-Fox.

In 1949, she returned to New York and opened her own studio, through which she was contracted by more than 40 companies such as Bergdorf Goodman, Liberty of London, Hermès and Coach. She worked with Coach as a designer from 1962 to 1974, incorporating the now iconic, horsebit-inspired hardware and brass toggle closures.

Throughout her career, she introduced designs that used rugged materials and utilitarian elements. Her fashion "firsts" include introducing leather to high fashion, popularizing the seasonless dress, using industrial hardware on clothing and accessories and coining the term "layering." Many of her jacket designs feature attached "purse pockets," and she is widely credited with introducing the first leather tote bag, modeled after a paper shopping bag. Her work is currently represented in more than 40 institutions — and her archive happens to reside in a Minnesota suburb.

### **The Minnesota connection**

Cashin's Minnesota connection goes decades beyond her relationship with Lake. A retrospective of the designer was the first exhibition presented by the University of Minnesota's Goldstein Museum of Design in 1976. Her longtime companion Curtis Kellar was a notable graduate from the University of Minnesota Law School and the pair made frequent visits to the Twin Cities.

In 2003, Lake, then living in Los Angeles, was asked to curate another Cashin retrospective at the Goldstein, three years after Cashin's death.

"I said yes to it because my family was here, and that's when I called up Cory," Lake said of her now-husband, with whom she went to high school in Minnetonka. "I like to say that the turquoise coat is the reason I discovered Bonnie, and that Bonnie is the reason I married Cory. Our daughter is a direct line from that turquoise coat."

Lake is now embroiled in a legal battle for ownership of the trademark to Bonnie Cashin's name. For Lake, securing the trademark is vital to protecting Cashin's legacy.

If she is granted it, Lake intends to launch a Bonnie Cashin label, which would feature reissued designs and new pieces inspired by Cashin and interpreted by an appointed designer.

"We always circled back to the idea of legacy," said Lake of her conversations with Cashin. "We never talked explicitly about her being gone — we always just talked about future plans."

Lake offered a positive spin on the legal proceedings: "I spent decades fighting for her and now I have people fighting over her," she said, "so I succeeded in getting long overdue recognition for her career."

### ***Transcript of CBS local news broadcast:***

#### **Fashion Week Minnesota: Local Designer's Connection To 'Coach' Icon**

September 24, 2015 7:34 AM **By Ali Lucia**

## **EXHIBIT J**

**Filed Under:** Ali Lucia, Bonnie Cashin, Chanel, Coach, Fashion, Fashion Group International, Fashion Week, Fashion Week Minnesota, Gucci, Jewelry, June Williams, Mona Williams, Prada, Sandy Simmons, Stephanie Lake, Stephanie Lake Design

2

**MINNEAPOLIS (WCCO)** — Coach, a leading luxury retailer, has seen its revenue increase from \$3 billion to \$5 billion in the last five years, according to Forbes.

But a lot of people do not even know the story behind the bags they are “toting” around.

If you do not know the name “Bonnie Cashin,” that is OK, not many people do. Cashin revolutionized Coach’s signature style in the 60s and the way people still dress today.

“She was never subject to a company’s whims, or to trends. She was so hugely influential that its staggering to think of all that she did,” local designer Stephanie Lake said.

Lake is one of five people in the world to get her Ph.D. in decorative arts, design history and material culture. Cashin was the focus of her doctoral dissertation while earning her decorative arts degree.

A short walk through Lake’s showroom is like taking a step back in time. She designs her jewelry in the lower level of her Twin Cities home.

“They’re really glam, they’re really elegant. They’re idiosyncratic,” Lake said.

The jewels and gems that make up her one-of-a-kind, show-stopping necklaces include pieces from all over the world.

“Some of my pieces will have centuries of materials in them. Most of them have a few decades of materials in them, so the stones are all from a different age,” Lake said.

She sometimes spends months designing her necklaces. Lake’s studies have taken her to every big runway, but her attention to detail in creating these timeless pieces is impeccable.

“Frankly, I have no idea what it will turn into, but I start going,” Lake said.

When in need of a break or a little inspiration from her work, the detour is not very far.

“I’m in here every day, either for research or work, but I also wear it,” Lake said.

Just down the hall from her studio is a girl’s dream. Lake’s mentor or big sister — as he describes her — was Cashin, the instrumental and “nameless” woman behind the brand Coach.

The two first met while Lake was doing research for her doctorate. Despite Cashin being 60 years her senior, the two immediately bonded.

“She’s just this little, tiny, elderly woman who was so strong and so forceful. I remember the first time I met her she almost knocked me over,” Lake said. “Her presence was electric.”

Lake was given Cashin’s entire personal clothing collection after she passed away in 2000.

“It was a shock,” she said. “It was a huge shock.”

Cashin was described in the New York Times as, "one of the first designers to create and popularize that uniquely American approach to dress called sportswear."

"She was an icon and iconoclast," Lake said. "She was rebellious and she was very respectful. She carved out a place for herself in this very tough world of fashion and that's the single biggest influence."

Lake says she learned the last century of fashion through Cashin's eyes.

"She only did what she wanted to do," Lake said. "She only designed the things that she needed in her own wardrobe."

Lake's gifted collection is lined with hundreds of ready-to-wear items: coats, sweaters and even the tote that took Coach and Cashin to the next level of prestige among peers.

"The press called it, 'fashion's new snob tote,' because it was the first designer tote bag that really gained a huge amount of recognition," Lake said.

It is a timeless collection that Lake hopes to see live on in her day-to-day work.

"It's sort of archaeological. It's digging up these treasures and rescuing them, giving them a life," she said.

Women across the world can also thank Cashin for things like leather in every-day wear. Even the zipper on her Cashin-designed leather dress has played a role in how we all dress today.

Lake says Cashin's salesman accidentally brought big, brass zippers that were used for tents. Instead of getting mad, Cashin incorporated them into the dress.

This is the first time anyone has ever seen Cashin's private collection. Lake is publishing a book next spring about Cashin.